

Case: 16-16270 Date Filed: 05/06/2019 Page: 1 of 2

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 16-16270-GG

LABMD, INC.,

Petitioner,

versus

FEDERAL TRADE COMMISSION,

Respondent.

Petition for Review of a Decision of the
Federal Trade Commission

BEFORE: TJOFLAT and WILSON, Circuit Judges, and ROBRENO,* District Judge.

BY THE COURT:

Before the Court is Petitioner's application for attorney's fees under the Equal Access to Justice Act. The Court, upon its own motion, hereby refers Petitioner's application for attorney's fees to a special master under Federal Rule of Appellate Procedure 48.

The Clerk of Court is directed to provide a copy of this order to the Chief Judge of the Northern District of Georgia. The Chief Judge of the Northern District of Georgia is directed to appoint a district judge or magistrate judge of that court to act as Special Master to hold a hearing, if necessary, and to recommend factual findings and make a report and recommendation on the proper disposition of Petitioner's application. The Chief Judge of the Northern District of Georgia

* Honorable Eduardo C. Robreno, United States District Judge for the Eastern District of Pennsylvania, sitting by designation.

is requested to notify this Court's Clerk's Office when the Special Master has been appointed.

After appointment of the Special Master, the Clerk of Court is directed to furnish the Special Master with a copy of this order, the Court's opinion in this matter, Petitioner's application for attorney's fees, Respondent's response in opposition to the application, Petitioner's reply in support of the application, and any items in the Court's files that the Special Master requires.

The Special Master is authorized to perform all acts and take all measures necessary or proper for the Special Master's duties under this order. Nothing in this order is intended to limit the Special Master's powers. *See* Fed. R. App. P. 48(a). After review of Petitioner's application, and any hearing if necessary, the Special Master shall file the report and recommendation with this Court's Clerk of the Court. The Clerk of Court shall serve the parties with a copy of the report and recommendation. Either side may file written objections to the Special Master's report and recommendation, but the objections must be filed with the Court and served upon the other side and the Special Master within twenty-one (21) days after service of the report and recommendation. The matter then shall be submitted to the Court for consideration and disposition without further briefing.